

**FEDERAL PUBLIC DEFENDER'S OFFICE
WESTERN DISTRICT OF NEW YORK**

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REPLY TO: ROCHESTER

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NOV 02 2018

November 2, 2018

Jonathan W. Feldman
U.S. Magistrate Judge
Western District of New York

VIA FAX

Honorable Jonathan W. Feldman
United States Magistrate Judge
U.S. Courthouse
100 State Street
Rochester, NY 14614

Re: *United States v. Richard Leon Wilbern*, 17-cr-6016-CJS-JWF
United States v. Richard Leon Wilbern, 17-cr-6017-CJS-JWF

Dear Magistrate Judge Feldman:

At oral argument the Court invited the defense to identify additional materials it should consider in determining the defense's Motion to Suppress Statements and DNA Sample. In addition to the video-recorded questioning sessions involving the FBI and the recorded tipline calls, the defense encloses printed copies of six emails the government has provided in discovery which the Court should review in the context of the motion. I believe that these are emails the government would describe as communications sent by the defendant to Special Agent Seth Fleitman.

Respectfully submitted,



Anne M. Burger
Assistant Federal Public Defender

Encl.

cc: Douglas Gregory, AUSA (via fax w/encl.)

Fleitman, Seth (BF) (FBI)

Full Name: Fault Realtor
First Name: Fault Realtor

Mobile: +1 (585) 455-7951

Feltman, Seth (BF) (FBI)

From: Rich Wilbern [richwilbern@gmail.com]
Sent: Thursday, June 30, 2016 5:45 AM
To: Feltman, Seth (BF) (FBI)
Subject: Fault Realtor
Attachments: Fault Realtor.vcf; ATT00001.txt

This is the contact number for the realtor involved.

LEAD 1139 - 301

Fleitman, Seth (BF) (FBI)

From: Rich Wilbern [richwilbern@gmail.com]
Sent: Thursday, June 30, 2016 5:51 AM
To: Fleitman, Seth (BF) (FBI)
Subject: Fake Owner Of House
Attachments: Fake Owner Of House.vcf; ATT00001.txt

This is contact number for fake home owner involved in scams

Fleitman, Seth (BF) (FBI)

Full Name: Fake Owner Of House
First Name: Fake Owner Of House

Mobile: +1 (231) 580-8026

Fleitman, Seth (BF) (FBI)

From: +15852105200@tmomail.net
Sent: Thursday, June 30, 2016 5:55 AM
To: Fleitman, Seth (BF) (FBI)
Attachments: text_0.txt

82 Southern Pkwy Rochester

T-Mobile

This message was sent to you by a T-Mobile wireless phone.

Fleitman, Seth (BF) (FBI)

From: +15852105200@tmomail.net
Sent: Thursday, June 30, 2016 5:47 AM
To: Fleitman, Seth (BF) (FBI)
Attachments: text_0.txt

hello how are you doing sorry for the late reply i was very busy at work i will like you to know my home s still available for rent and moving in ready how many of you are moving into my home and when is the moving in date? I'm sorry, can you remind me the location of your home and give me a date that you are available so that we could see your home? There is four of us. my home is in Rochester We have been looking at many homes. Is yours a the rent to own near the U of R? Fenced backyard ? The blue lock box on the side door? 82 Southern Pkwy Rochester that is my home address how many of you are moving into my home? i'm not hearing you how are you doing I am fine. Will drive by your house later today. Two adults two children ages 5 and 10 months ok good so areyou currently in any lease and when are you planing on moving in? How much is the rent and when can we see inside? the monthly rent is \$1500 and the security deposit is \$1000 you can drive by to view it when you love what you see then we can move to the filling of Application form Ok Google 82 Southern Parkway Streetview. It's an awesome house Ok, I love it . Would like to fill out the application. hello how are you doing i hope you love t so much i will be sending you the application form soon but i will need your mail address 23 Tubman way Rochester ny 14608. Our names are Richard and Ferran. i will like to send it via email so it will be fast for you to fill it Richwilbern@gmail.com ok my dear in 10min i will send it I noticed a for sale sign. Is this a rent to own? Or will there be a change of ownership once we move in? i have just sent you a mail check it now.ok and get back to me did you get my mail? Yes looking at it now ok good hoping to read from you soon Hello how are you doing today ? did you get my mail? Yes I did. Very pleased to hear that good news. My family is excited also over the good news. oh praise be to God did you reply my mail? oh praise be to God did you reply my mail? and how is your family doing today may the blessing of the lord be with you

and your family Waiting to share it with my fiancÃ© once she gets off work. It's a surprise for her. Then we both will respond to your email. ok dear when is she getting off ? cause in the next 2hour i will be busy at my office I will respond now ok hoping to read from you Remain Bless i got your mail now i will send the information that you will use in sending the first month and security deposit ok Remain Bless once you send the money i will mail out the keys and house document to your current home address then you can surprise your fiance once you receive it call me and i will pray for the both of you ok you there?? did you get my mail? hello how are you doing i have been waiting to hear from you hope all is well?

T-Mobile

This message was sent to you by a T-Mobile wireless phone.